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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 ADAM NAIL, individually and on behalf all)
9 others similarly situated)
10 Plaintiff(s),)
11 vs.)
12 LENS.COM, INC.,)
13 Defendant(s).)
14

Case #2:24-cv-01149-JAD-EJY

**VERIFIED PETITION FOR
PERMISSION TO PRACTICE
IN THIS CASE ONLY BY
ATTORNEY NOT ADMITTED
TO THE BAR OF THIS COURT
AND DESIGNATION OF
LOCAL COUNSEL**

FILING FEE IS \$250.00

[ECF No. 38]

16 Mark Bettilyon, Petitioner, respectfully represents to the Court:
17 (name of petitioner)

18 1. That Petitioner is an attorney at law and a member of the law firm of
19 Thorpe North & Western, LLP
(firm name)

20 with offices at 175 S. Main St., Suite 900,
(street address)

21 Salt Lake City, Utah, 84111,
(city) (state) (zip code)

22 (801) 566-6633, mark.bettilyon@tnw.com.
(area code + telephone number) (Email address)

23 2. That Petitioner has been retained personally or as a member of the law firm by
24 Lens.com, Inc. to provide legal representation in connection with
25 [client(s)]

26 the above-entitled case now pending before this Court.

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1 3. That since October 7, 1986 (date), Petitioner has been and presently is a
 2 member in good standing of the bar of the highest Court of the State of Utah (state)
 3 where Petitioner regularly practices law. Petitioner shall attach a certificate from the state bar or
 4 from the clerk of the supreme court or highest admitting court of each state, territory, or insular
 5 possession of the United States in which the applicant has been admitted to practice law certifying
 6 the applicant's membership therein is in good standing.

7 4. That Petitioner was admitted to practice before the following United States District
 8 Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts
 9 of other States on the dates indicated for each, and that Petitioner is presently a member in good
 10 standing of the bars of said Courts.

Court	Date Admitted	Bar Number
District of Utah	10/7/1986	4798
Utah State Court	10/7/1986	4798

19 5. That there are or have been no disciplinary proceedings instituted against petitioner,
 20 nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory
 21 or administrative body, or any resignation or termination in order to avoid disciplinary or
 22 disbarment proceedings, except as described in detail below:
 23 None.

1 6. That Petitioner has never been denied admission to the State Bar of Nevada. (Give
2 particulars if ever denied admission):

3 None.

6 7. That Petitioner is a member of good standing in the following Bar Associations.

7 None.

10 8. Petitioner has filed application(s) to appear as counsel under Local Rule IA 11-2
11 (formerly LR IA 10-2) during the past three (3) years in the following matters: (State "none" if no applications.)

Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
14 none			
15			
16			
17			
18			

19 (If necessary, please attach a statement of additional applications)

20 9. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the
21 State of Nevada with respect to the law of this state governing the conduct of attorneys to the same
22 extent as a member of the State Bar of Nevada.

23 10. Petitioner agrees to comply with the standards of professional conduct required of
24 the members of the bar of this court.

25 11. Petitioner has disclosed in writing to the client that the applicant is not admitted to
26 practice in this jurisdiction and that the client has consented to such representation.

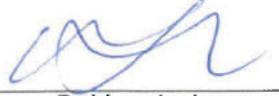
1 That Petitioner respectfully prays that Petitioner be admitted to practice before this Court
2 FOR THE PURPOSES OF THIS CASE ONLY.

3 
4 Petitioner's signature

5 STATE OF Utah }
6 COUNTY OF Salt Lake }

7 Mark Bettilyon, Petitioner, being first duly sworn, deposes and says:

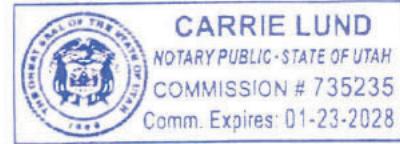
8 That the foregoing statements are true.

9 
Petitioner's signature

10 Subscribed and sworn to before me this

11 6 day of July, 2024.

12 
13 Notary Public or Clerk of Court



16 **DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO
THE BAR OF THIS COURT AND CONSENT THERETO.**

17 Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner
18 believes it to be in the best interests of the client(s) to designate Richard J. Pocker,
19 (name of local counsel)
20 Attorney at Law, member of the State of Nevada and previously admitted to practice before the
21 above-entitled Court as associate resident counsel in this action. The address and email address of
22 said designated Nevada counsel is:

23 300 South Fourth Street, Suite 800,
(street address)

24 Las Vegas, Nevada, 89101,
(city) (state) (zip code)

25 (702) 382-7300, rocker@bsflp.com,
(area code + telephone number) (Email address)

1 By this designation the petitioner and undersigned party(ies) agree that this designation constitutes
2 agreement and authorization for the designated resident admitted counsel to sign stipulations
3 binding on all of us.

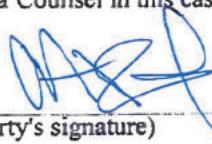
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5 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

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7 The undersigned party(ies) appoint(s) Richard J. Pocker as
8 (name of local counsel)
his/her/their Designated Resident Nevada Counsel in this case.

9

10 
(party's signature)

11

12 Cary Samourkachian, CEO of Lens.com, Inc.
(type or print party name, title)

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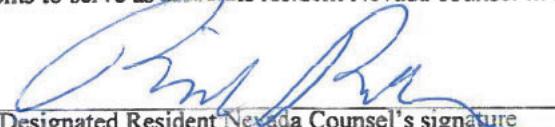
14 (party's signature)

15

16 (type or print party name, title)

17 **CONSENT OF DESIGNEE**

18 The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

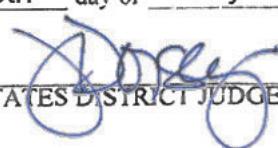
19 
20 Designated Resident Nevada Counsel's signature

21 SBN 3568 rlocker@bsflip.com
Bar number Email address

22

23 APPROVED:

24 Dated: this 8th day of July, 2024.

25 
26 UNITED STATES DISTRICT JUDGE